

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/601,200
Attorney Docket No.: Q76217

REMARKS

Claims 11, 13-18, and 20-22 are all the claims pending in the application.

By this Amendment, Applicant editorially amends claims 11 and 18. The amendments to claims 11 and 18 were made for reasons of precision of language and consistency, and do not narrow the literal scope of the claims and thus do not implicate an estoppel in the application of the doctrine of equivalents. The amendments to claims 11 and 18 were not made for reasons of patentability.

In addition, Applicant adds claims 23 and 24. Claims 23 and 24 are clearly supported throughout the specification *e.g.*, Fig. 2 of the above-identified application.

I. Preliminary Matters

Applicant thanks the Examiner for returning the initialed forms PTO/SB/08 filed with the Information Disclosure Statements on January 9, 2006 and February 17, 2006.

The Examiner has not indicated approval of the drawings filed on June 23, 2003.

Applicant respectfully requests that the Examiner indicate that the submitted drawings are accepted. The Examiner has not acknowledged Applicant's claim to foreign priority and has not indicated receipt of the certified copies of the Priority Documents filed on September 10, 2004. However, a review of the Image File Wrapper on the USPTO Pair Website shows that the certified copies of the priority documents were received on September 10, 2004. Applicant respectfully requests that the Examiner acknowledge Applicant's claim to foreign priority and indicate receipt of the certified copies of the Priority Documents.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/601,200
Attorney Docket No.: Q76217

II. Summary of the Office Action

Claim 11 is objected to and claims 11 and 13-22 presently stand rejected.

III. Claim Objection

The Examiner objected to claim 11 because of a minor informality. Applicant has revised the claim, and respectfully submits that the claim as now presented no longer includes the potential informality mentioned by the Examiner. Applicant therefore respectfully requests the Examiner to withdraw the objections to claim 11.

IV. Claim Rejections under 35 U.S.C. § 103

Claims 11, 14, 16, 18, 20, and 21 are rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,371,595 to Takemoto et al.¹ (hereinafter “Takemoto”) in view of JP 05201012 to Ikeda (hereinafter “Ikeda”). Applicant respectfully traverses these grounds for a rejection in view of the following comments.

Of these rejected claims, only claims 11 and 18 are independent. Independent claims 11 and 18, among a number of unique features, in some variation, recite stopping the movement for a predetermined time period in a state that the wiping member is brought into press contact with the inclined plate after wiping the liquid ejecting head.

The Examiner alleges that Takemoto discloses stopping the wiping member in contact with the liquid head. The Examiner acknowledges that Takemoto does not disclose or suggest an inclined plate but alleges that Ikeda cures the deficient disclosure of Takemoto and that one of ordinary skill in the art would have been motivated to combine the two references to restrain the

¹ Cited by Applicant in Information Disclosure Statement filed January 9, 2006.

AMENDMENT UNDER 37 C.F.R. § 1.111

U.S. Appln. No. 10/601,200

Attorney Docket No.: Q76217

scattering of ink (*see* pages 3-4 of the Office Action). Applicant respectfully disagrees.

Applicant has carefully studied the combined disclosure of Takemoto and Ikeda, which lack stopping the movement in a position where the wiping member is brought into a press contact with the inclined plate.

Takemoto discloses stopping the movement of a carriage 11, after moving to the left side by the predetermined amounts before the wiper blade 69 reaches the edge of the ink ejecting surface of the left-side ink jet print head 13 (Fig. 11A , column 8 lines 2-5). Ikeda discloses preventing the record material from being stained by providing an inclined surface at a portion of an ink delivery port forming surface, where the surface comes into contact with a wiper or moves apart therefrom to restrain the scattering of ink when a recording head is cleaned by means of the wiper (*see* Abstract). Specifically, Ikeda discloses reducing the elastic rebounding force of the wiper blade 12 by slide contacting the wiper 12 against an inclined surface (*see* Constitution).

The combined disclosure of these references, however, fails to disclose or suggest that a movement is stopped in a state of the wiping member being brought into press contact with the inclined plate after wiping the liquid head. In other words, Takemoto only discloses stopping on a head surface to flow ink therefrom and Ikeda only discloses recovering the deflection of the wiping member slowly on the inclined fact. The combined disclosure of these references fails to disclose or suggest stopping the movement in a state that the wiping member is pressed against the inclined plate.

Furthermore, the combined disclosure of Takeoka and Ikeda do not disclose or suggest stopping the movement in the state where the wiping member is pressed contacted against the

AMENDMENT UNDER 37 C.F.R. § 1.111

U.S. Appln. No. 10/601,200

Attorney Docket No.: Q76217

inclined face without stopping on the head face. When the wiping member stops on the head face as disclosed in Takemoto, the wiping performance deteriorates on the last nozzle array to be wiped since it is necessary to decrease the speed before stopping. The combined disclosure of Takemoto and Ikeda cannot prevent the scattering of the liquid while keeping good wiping performance.

In short, stopping the movement for a predetermined time period in a state that the wiping member is brought into press contact with the inclined plate after wiping the liquid ejecting head, as set forth in some variation in claims 11 and 18, is not disclosed or suggested by the combined disclosure of Takemoto and Ikeda, which lack stopping the movement when the wiper contacts an inclined surface. For at least these exemplary reasons, claims 11 and 18 are patentable over Takemoto in view of Ikeda. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claims 11 and 18 and their dependent claims 14, 16, 20, and 21.

Claims 13, 15 and 17 are rejected under 35 U.S.C. § 103(a) as being obvious over Takemoto and Ikeda in view of U.S. Publication No. 2004/0130588 to Nakagawa et al. (hereinafter “Nakagawa”). Applicant respectfully traverses this rejection in view of the following comments.

Claims 13, 15, and 17 depend on claim 11. Applicant has already demonstrated that the combined disclosure of Takemoto in view of Ikeda do not meet all the requirements of independent claim 11. Nakagawa is relied upon only for its disclosure of a shape of the wiper (*see page 4 of the Office Action*) and as such clearly fails to cure the deficient disclosure of Takemoto and Ikeda. Together, the combined teachings of these references would not have (and

AMENDMENT UNDER 37 C.F.R. § 1.111

U.S. Appln. No. 10/601,200

Attorney Docket No.: Q76217

could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 11.

Since claims 13, 15, and 17 depend on claim 11, they are patentable at least by virtue of their dependency.

Claims 11 and 22 are rejected under 35 U.S.C. § 103(a) as being obvious over Takemoto in view of U.S. Patent No. 6,679,578 to Arakawa (hereinafter “Arakawa”). Applicant respectfully traverses this rejection in view of the following comments.

Of these rejected claims, only claim 11 is independent. As explained above, Takemoto does not disclose or suggest the unique features of the independent claim 11. Arakawa allegedly discloses an inclined surface. Arakawa, however, fails to disclose or suggest stopping the movement in a position of the wiper press contacting the inclined surface. That is, the combined disclosure of Takeoka and Arakawa does not disclose or suggest stopping the movement in the state where the wiping member is pressed contacted against the inclined face without stopping on the head face.

In short, stopping the movement for a predetermined time period in a state that the wiping member is brought into press contact with the inclined plate after wiping the liquid ejecting head, as set forth in some variation in claim 11, is not disclosed or suggested by the combined disclosure of Takemoto and Arakawa, which lack stopping the movement when the wiper contacts an inclined surface. For at least these exemplary reasons, claim 11 is patentable over Takemoto in view of Arakawa. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 11 and its dependent claim 22.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/601,200
Attorney Docket No.: Q76217

New Claims

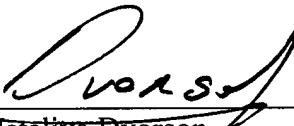
In order to provide more varied protection, Applicant adds claims 23 and 24. Claims 23 and 24 are patentable at least by virtue of their dependency on claim 11.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Attorney Docket No.: Q76217